

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2004-020247-001 DT

04/22/2005

HON. RONALD S. REINSTEIN

CLERK OF THE COURT
G. Nevitt
Deputy

FILED: 04/29/2005

STATE OF ARIZONA

STEPHEN W VERTUCCI

v.

MOSES SOTO (001)
DOB: 10/14/1972

KARLA LINN MOMBERGER

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR
VICTIM SERVICES DIV-CA-CCC

SENTENCE OF IMPRISONMENT

10:29 a.m.

State's Attorney:	Chris Corso for Stephen Vertucci
Defendant's Attorney:	Karla Momberger
Defendant:	Present
Court Reporter:	Karen Dawson

Cynthia Covarrubias makes a statement to the Court.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1, As Amended: Possession of Dangerous Drugs, With One Prior Felony Conviction

Class 4 Felony

A.R.S. § 13-3401, 3407, 3418, 604, 610, 701, 702, 702.01, 801, 901.01

Date of Offense: 08/09/2004

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Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 3.25 year(s) from 04/22/2005
Presentence Incarceration Credit: 149 day(s)
Mitigated

Pursuant to A.R.S. § 13-604, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Conspiracy to Commit Possession of Narcotic Drugs for Sale, a class 2 Non Dangerous felony committed on 08/02/1993 and convicted on 01/04/1995 in CR1994-004648, Maricopa County Superior Court.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

FINE: Count 1 - Total amount of \$1,000.00. Surcharges are waived.

Fine is to be paid to the Arizona Drug Enforcement Fund.

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$5.00

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

Additional Monetary Information: IT IS ORDERED payment shall commence for the Fine in the amount of \$50.00 per month on the first day of the second month upon release from supervision of the Department of Corrections in this matter.

Additional Monetary Information: IT IS FURTHER ORDERED payment for the Assessment Fees in the total amount of \$25.00 be paid in full on the first day of the second month upon release from supervision of the Department of Corrections in this matter.

Community Supervision: Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED granting the Motion To Dismiss the following: the State will not allege the Defendant's other prior felony convictions; the State agrees to dismiss the charges against the Defendant in CR2004-136537-001 DT.

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IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

10:34 a.m. Matter concludes.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HON. RONALD S. REINSTEIN
JUDGE OF THE SUPERIOR COURT

(thumbprint)